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Labor Code and Supplements to the Code  
Izvestiya, Sofia, 13 Nov 1951 - 28 Mar 1952

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LABOR CODE -- Sofia, Izvestiya, 13 Nov 51

DECREE No 544

The Presidium of the National Assembly, acting in accordance with articles 24 and 35, point 3, of the Constitution of the People's Republic of Bulgaria,

DECREES:

The publication in the "Izvestiya of the Presidium of the National Assembly" of the Labor Code, adopted by the First National Assembly, in its fourth regular session, third meeting, on 9 November 1951, which reads as follows:

LABOR CODE

1. This Code regulates the labor relations of the blue- and white-collar workers in enterprises, offices, and organizations, and the State Social Security of the blue- and white-collar workers, with a view to introducing implementing, and consolidating the Socialist principles of labor organization, securing an increase in labor productivity, increasing the welfare of the workers, safeguarding their health, and insuring their support in case of temporary or permanent disability.

PART I -- TRADE UNION ORGANIZATIONS

2. Blue- and white-collar workers have the right to organize trade unions (Article 87 of the Constitution).

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The trade unions in the People's Republic of Bulgaria are mass, public, and non-party organizations of blue- and white-collar workers, uniting them on a voluntary basis irrespective of race, nationality, sex, or religious convictions.

3. The Central Council of the Federation of Trade Unions (CC of the FTU) has the right to represent the blue- and white-collar workers in all matters relating to labor and state social security.

The CC of the FTU has the right to submit to the Council of Ministers proposals for laws, decrees, enactments, regulations, and administrative orders for the settlement of said matters. Individual ministries may also submit proposals on matters relating to labor and state social security with the collaboration of the CC of the FTU.

4. The CC of the FTU and the Central Committees of the Trade Unions have the right to arrange and organize the election and appointment of commissions for the protection of labor, labor inspection boards, workers' labor inspectors, and also councils, commissions, and delegates for state social security, through whom they can supervise the fulfillment by enterprises, offices, and organizations of their obligations arising from the provisions of this Code and through whom they can implement state social security.

Also, special departmental services concerned with the technical safety of labor are organized in the Ministry of Transportation and the Ministry of Heavy Industry; similar

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services may be organized in other departments also by a decision of the Council of Ministers.

A special service to protect the rights of labor and insure the technical safety of labor will be set up at the Ministry of National Defense for the enterprises attached to it.

In collaboration with the labor unions the ministries work out rules and standards for the safety measures to be taken with dangerous equipment and at dangerous work sites.

5. The trade unions and their subdivisions have the right to represent the blue- and white-collar workers before state agencies and third parties in all matters relating to labor and living conditions.

They have the right to represent the blue- and white-collar workers before the courts as their full agents, except that they are not permitted to accept the claims of the opposite side, renounce the claims of the blue- or white-collar workers, or conclude agreements and accept money or valuables on behalf of the blue- or white-collar workers.

6. In addition to the representation mentioned in the preceding article, the trade union committee also has the following rights:

a. To conclude collective labor contracts with the enterprise and to make demands on behalf of the blue and white collar workers for their interpretation and execution,

b. To take the necessary steps for the institution of mediation commission and see that it functions properly.

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c. To supervise the application of the standards for the protection of labor and the payment of wages and to inform the labor inspection board of any violations committed in these matters.

d. To implement state social security in accordance with the decrees governing it.

e. To assist the normal course of production by giving advice in the drawing up of the plans, by mobilizing the blue- and white-collar workers for their fulfillment, and by organizing Socialist competition;

f. To work for the cultural and material welfare of the blue- and white-collar workers.

7. The CC of the FTU, the individual trade unions, and the trade union organizations are juridical persons. Other subdivisions of the trade unions acquire the status of juridical persons by decision of the central committee of their trade union.

The status of juridical person according to this article is acquired without registration before a court.

8. The CC of the FTU may set up a fund for rest and culture, the purpose of which is to organize the use of the free time and the vacations of blue- and white-collar workers, to fortify their moral and physical strength, and to satisfy their cultural needs.

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### PART II -- LABOR RELATIONS

#### CHAPTER I -- COLLECTIVE LABOR CONTRACTS

9. The collective labor contract is an agreement between the trade union committee, as the representative of the blue- and white-collar workers, on the one side, the enterprise, on the other side, setting forth the mutual obligations of the parties in the fulfillment and overfulfillment of the production plan, the improvement of the organization and protection of labor, and the improvement of the material and cultural assistance extended to the blue- and white-collar workers.

A collective labor contract may also be concluded for separate branches or shops of an enterprise if they are operating on separate bookkeeping systems, even though they are not juridical persons, provided that permission is secured from the CC of the FTU and the government department concerned.

10. The collective labor contract is binding on the enterprise and on all the blue- and white-collar workers in it.

11. A registered collective labor contract becomes effective on the date of its signing by the parties or on the date specified in the contract itself.

12. Collective labor contracts are registered, corrections are made in their texts, and disputes arising in

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drawing them up are settled in the manner indicated in the instructions from the CC of the FTU, approved by Council of Ministers.

Each year after reaching an agreement with the various departments the CC of the FTU fixes the time limits for conclusion of the collective labor contracts, the ways in which they are to be checked, the manner in which accounting is to be rendered for them, etc.

13. Any provision in a collective labor contract which contravenes the provisions of this Code or any other laws is ineffective.

14. The trade union organizations do not bear material responsibility in collective labor contracts.

**CHAPTER II -- LABOR CONTRACTS****1. General Provisions**

15. The labor contract fixes the place and the nature of the work, and it may also specify other conditions in connection with the labor supply.

16. The labor contract must be in writing.

When a labor contract is concluded with a state, cooperative, or public enterprise, office or organization, the individual blue- or white-collar worker files a written application for

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placement, and the administration of the enterprise, office, or organization issues a written order for his employment.

17. When he is given employment, the blue- or white-collar worker is required to submit his labor record book to the enterprise, office, or organization, or, if this happens to be his first employment to present a certificate from the people's soviet at his place of residence. In the latter case the enterprise, office, or organization is required to supply the blue- or white-collar worker with a labor record book within five days.

Upon termination of the labor contract, the labor record book is turned over to the blue- or white-collar worker, and the reason for the termination of the contract is entered in it.

18. A labor contract may be concluded by individuals and also by a group of individuals (group labor contract) either directly or through a representative. In the latter case the enterprise, office, or organization and each member of the group have the same rights and obligations as they would have if the contract were signed separately with each individual.

19. When the work for which the labor contract is concluded requires that the blue- or white-collar worker have special qualifications or when it is necessary to test his ability to perform certain work the final acceptance of the blue- or white-collar worker may be preceded by a fixed trial period. For skilled blue- and white-collar workers this period is 30 days, and for the rest up to 15 days.

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The final acceptance or rejection of the blue- or white-collar worker depends on the results of the trial period, and his wage rate during this trial period is that of the work for <sup>he</sup> which/is being tested.

20. Any agreement in the labor contract which conflicts with the laws, legal provisions, or the collective labor contract is invalid.

21. When a contract is declared invalid or is voided, if the blue- or white-collar worker has not acted in bad faith in signing it, then the relations between the parties up to the moment that the contract is declared invalid or is voided are regulated in the same manner as they would have been if the contract had been valid.

In cases where the labor contract is invalid because a blue- or white-collar worker who has not reached the age required by this Code has been given employment, the invalidity of the contract is proclaimed by the labor inspection board.

22. The enterprise, office, or organization is required to guarantee the blue- or white-collar worker the proper conditions for the performance of the work he has been assigned.

The blue- or white-collar worker is required to fulfill his obligations under the labor contract by observing the established labor discipline and the rules for Socialist communal housing, and by demonstrating Socialist conscientiousness.

23. The blue- or white-collar worker may not transfer his obligations in a labor contract to another person. In

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the case of a group labor contract (Article 18) the group may apportion the work among its members and substitute them one of them for another.

24. The enterprise, office, organization may not change the place or nature of the work as specified in the labor contract unless it has the consent of the blue- or white-collar worker.

25. When the production needs of the enterprise or the needs of the office or organization make it necessary, and also if there is a work stoppage, the blue- or white-collar worker may be assigned temporarily, but not for more than 45 days in a calendar year, or in the case of a work stoppage until the stoppage ends, to work of a different nature in the same or another enterprise, office, or organization in the same locality. In such cases skilled blue-collar workers may not be assigned to work consisting of moving, loading, cleaning, and the like, and skilled white-collar workers may not be put at unskilled work.

When unavoidable circumstances make it necessary, the enterprise, office, or organization may assign a blue- or white-collar worker to work of another nature even though such work does not correspond to his skill.

When a blue- or a white-collar worker is assigned to higher- or lower-pay work, his wages are fixed in accordance with Article 76.

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26. Skilled blue- or white-collar workers in categories indicated in an order of the Council of Ministers may be assigned to other work at the same or another enterprise or to work in another locality even without their consent by direction of the minister concerned.

When the production needs of an enterprise or the needs of an office or organization make it necessary, a blue- or a white-collar worker may be sent to work at a locality other than that specified in the labor contract.

The duration of such forced transfers and also the manner in which they are made are determined by an order of the Council of Ministers.

### 2. Duration of the Labor Contract

27. A labor contract is signed:

- a. for an indefinite time;
- b. for a fixed time, which may not be longer than three years, or
- c. until specified work is completed.

28. The labor contract is considered as signed for an indefinite period if <sup>f</sup>after the expiration of the specified period of time or the completion of the specified work the blue- or white-collar worker remains on the job for three or more days without objections on the part of the enterprise, office, or

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organization.

3. Termination of the Labor Contract

29. The labor contract is terminated:

- a. by mutual consent of the parties;
- b. by expiration of the specified time (Article 27, letter "b");
- c. by completion of the specified work (Article 27, letter "c");
- d. by declaration by one of the parties with advance notice (articles 30 and 31);
- e. by declaration by one of the parties without advance notice (articles 33 and 34);
- f. by the death of the blue- or white-collar worker;
- g. by the death of the person with whom the blue- or white-collar worker has signed labor contract: as far as that person is concerned;
- h. when and if the blue or white-collar worker is called for his regular military or labor service;
- i. on the demand of the okrug committee of the trade union. In case of opposition on the part of the enterprise, office, or organization or an appeal by the blue- or white-collar

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the question is decided by the central committee of the trade union and the department or organization concerned.

30. The labor contract may be terminated by notification by the blue- or white-collar worker, when the contract is signed for an indefinite time, and when the worker gives advance notice as follows:

- a. for blue- and white-collar workers with special skills -- 30 days;
- b. for all other blue- and white-collar workers -- 15 days.

The Council of Ministers may set up a special procedure for terminating labor contracts concluded for an indefinite time with different categories of blue- and white-collar workers.

31. An enterprise, office, or organization may terminate the labor contract by giving the same advance notice as that specified in Article 30, but it may do this only in the following cases:

- a. when the enterprise, office, or organization is being totally or partially liquidated or when a reduction in personnel is being made;
- b. when there is a work stoppage for more than 30 days;

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c. when the blue- or white-collar worker does not have the required skill for the work he has been assigned;

d. when wrongfully dismissed blue- or white-collar worker/<sup>who</sup>has been performing that work is reinstated;

e. when a blue- or a white-collar worker refuses to be transferred to another enterprise, office, or organization or to another locality in cases when such transfer is not obligatory, if the enterprise, office, or organization itself is moving or the worker's position is being abolished.

In the cases indicated under "a", even a contract concluded for a fixed term may be terminated.

32. Under a labor contract with an indefinite term, when the blue- or white-collar worker has given advance notice that he is leaving or when he has been given advance notice of his dismissal, he may be dismissed before the expiration of the notice period if he is paid his regular wages up to the date of expiration of that period.

When a blue- or white-collar worker is dismissed because of a cut in force or because of the closing down of the enterprise, office, or organization without advance notice or before the expiration of the notice period, the enterprise, office, or organization owes him his wages for the time that the notice period would have run.

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A blue- or white-collar worker who leaves an enterprise, office, or organization without advance notice or before the expiration of the notice period which he is required to give owes compensation to the enterprise equal to the wages that he would have received during the notice period.

A blue- or white-collar worker has the right to compensation upon dismissal if he has worked at least six months continuously in the same enterprise, office, or organization.

33. An enterprise, office, or organization may dismiss a blue- or a white-collar worker without advance notice in the following cases:

- a. when he does not discharge his duties or discharges them in a very careless manner;
- b. when he abuses the confidence of the enterprise, office, or organization or disseminates confidential information concerning the enterprise which he has acquired in the course of his work or otherwise;
- c. when he has committed a crime in connection with his work and the sentence has gone into effect;
- d. when he has been detained by the authorities for more than two months;
- e. when he refuses to obey an order for his transfer to another enterprise.

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f. When he fails to appear at work for more than half a work day without good reason, and also when he has been more than a half hour late oftener than twice in one month;

g. when he reports to work in an obviously intoxicated condition;

h. when he is given a disciplinary punishment in accordance with Article 130, letter "f".

34. A blue- or white-collar worker may demand the termination of a labor contract without advance notice in the following cases:

a. when the enterprise, office, or organization does not pay his wages promptly;

b. when the enterprise, office, or organization changes the conditions of the labor contract in a manner not in conformity with the provisions of this Code (articles 25 and 26).;

c. when he is unable to perform the work assigned to him because of the state of his health, provided that no other suitable work is given to him;

d. when he enrolls in a higher, intermediate, or special institution of learning.

35. An enterprise, office, or organization may not dismiss either with or without advance notice a woman blue- or white-collar worker after her fourth month of pregnancy or a mother up to the time her child is eight months old, except in cases when

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there are grave infractions, and then only with the permission of the proper labor inspection board in each individual case.

36. An enterprise, office, or organization may not dismiss either with or without advance notice, a blue- or white-collar worker who has started using his authorized leave, except in cases of grave infractions, and then only with the permission of the proper labor inspection board in each individual case.

37. In the merging or expansion of enterprises, offices, or organizations and also in cases of transfer of a part of one enterprise or office to another the labor contract is not terminated.

Responsibility for <sup>h</sup>ose obligations towards the blue- and white-collar workers under the labor contract which date from before the merger or expansion devolves upon the new enterprise or office, and in case of a transfer of a part of the enterprise or office, the two enterprises or offices have joint responsibility.

38. The blue- and white-collar workers who are trade union workers enumerated in an order of the CC of the FTU may not be transferred or dismissed without the consent of the central council of their trade union.

### CHAPTER III -- WORKING HOURS AND REST PERIODS

#### 1. Work Hours

39. The normal working day is eight hours for day work and six hours for night work.

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Work done between 0500 hours and 2200 hours from 1 March to 30 September and between 0600 hours and 2200 hours for the other months of the year is considered as day work. Work done during the other hours of the 24-hour period is considered as night work.

The hours for the beginning and the termination of the work day are fixed by the regulations for internal labor procedure.

The duration of a work day with mixed shifts (that is, with both day and night working time) and also for round-the-clock production in which the six-hour work day is used are fixed with by an order.

41. A shorter work day may be introduced for those blue- and white-collar workers who perform work detrimental to their health or work of a special nature.

42. It is forbidden to increase the number of hours in the normal work day. As an exception, it is permissible to introduce a longer work day for seasonal work under specified conditions for a specified period of time and with the payment of increased wages.

43. A non-normal work day (that is, a work day without a fixed duration of the working time) may be introduced for the following:

a. blue- or white collar workers doing specified kinds of work whose nature does not permit the introduction of fixed working hours, and

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b. blue- or white-collar workers who are employed by an enterprise, office, or organization without being actively engaged in the work during all or a considerable part of the working time.

44. The duration of the work day and the different kinds of work coming under articles 41 and 42 and also the kinds of work coming under Article 43 are fixed by an order.

It may be determined by an order that the calculation of the working time for different productions or departments is to be done monthly and also the arrangement of the rest periods and zero time and the manner of payment for it may be determined this way.

45. Work done on the orders or with the knowledge of the manager of the enterprise, office, or organization by a blue- or a white-collar worker outside his regular working time is overtime work.

46. Overtime work is forbidden. Exceptions are permitted only in the following cases:

a. for work connected with the defense of the People's Republic;

b. for preventing and fighting against public calamities and dangers;

c. for the performance of urgent public work in restoring the water supply, lighting facilities, the sewage system, and transportation and communications facilities;

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d. when work must be completed which has been begun but which has been delayed by technical difficulties in production that have made it impossible to complete the work within the regular working hours, if the cessation of such work may result in the spoilage of materials or damage to the machinery;

e. when repair and remodeling work is being done on the shops, machines, and other equipment of the enterprise, but only when this causes a stoppage in the work of a considerable number of blue- or white-collar workers;

f. during a rush period in seasonal and in work with a deadline, when it is technically impossible to increase the number of blue- or white-collar workers or when there is a shortage of them.

47. Overtime work may be assigned only after permission is secured from the proper labor inspection board. Permission need not be secured beforehand from the labor inspection board for overtime work specified under "b", "c", "d", and "e" of the preceding article, but in these cases the proper inspection board is notified within 48 hours from the time the work started.

The total amount of permissible overtime work in a given period of time (days, weeks, or months) is fixed by an order.

### 2. Rest Periods

49. The work day is broken by one or more rest periods, except in cases where the production process is continuous and in

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enterprises which work with three shifts. In these two cases the worker is given the opportunity to eat during the working hours.

The continuous production processes are fixed by an order. The order and duration of the daily rest periods are fixed by the regulations governing the internal labor procedure.

The rest periods are not included in the working time.

50. The blue- or white-collar worker has the right to a 16-hour rest period between working days, but in exceptional cases this rest period may be reduced to 12 hours with the permission of the labor inspection board.

51. The blue- or white-collar worker has the right to a 36-hour uninterrupted weekly rest period except in continuous production processes and at times of shift changes, in which cases this rest period may not be shorter than 24 hours.

52. The weekly uninterrupted rest falls on Sunday. When the nature of the work requires it, however, the weekly rest is taken on another day of the week.

The Council of Ministers holidays.

### CHAPTER IV — LEAVES

53. A blue- or white-collar worker who has worked at least 11 months without interruption at the same enterprise, office, or organization acquires each year the right to a 14-day paid leave

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if he continues to work at the same enterprise, office, or organization.

The 11-month period mentioned in the preceding paragraph includes the labor apprenticeship, in accordance with paragraph I of Article 211, in case the blue- or white-collar worker has not received cash compensation for unused leave from the enterprise, office or organization at which he worked previously.

54. Certain categories of blue- and white-collar workers, specified by an order, have the right to a longer regular and paid yearly leave, the length of this leave being fixed by the same decree.

55. Besides the leave mentioned in the preceding articles, and under the conditions specified in Article 53, paragraph I, the blue- and white-collar workers who are engaged in especially harmful and hazardous work have the right to additional paid annual leave. In such cases it is forbidden to pay cash compensation for such additional paid annual leave as is not used.

Additional paid annual leave up to 12 days is also given in the following cases:

- a. as a reward for a long service with the same enterprise, office, or organization;
- b. as compensation for work done by blue- and white-collar workers who do not have fixed working hours, when their hours of work come to more than the normal work days;

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c. as an encouragement to students to carry on their studies without leaving their office or production work, and also to those who are enrolled in higher or intermediate special schools.

The categories of blue- and white-collar workers who have the right to additional leave, the duration of that leave, and the conditions under which it is given are fixed by an order of the Council of Ministers.

56. The time at which the paid annual leave is to be taken is determined by the enterprise, office, or organization in collaboration with the trade union committee, taking into consideration the desires of the blue- or white-collar workers and the needs of the production work or the office.

57. The paid annual leave may not ordinarily be split up into parts; in exceptional cases it may be split up into two parts.

58. On the request of the blue- or white-collar worker the enterprise, office, or organization may grant him <sup>leave</sup> without pay for up to 15 work days in a year if such leave does not disrupt the production or office work.

The conditions and the duration of additional leave without pay which may be obtained by students and other blue- and white-collar workers are fixed by an order of the Council of Ministers.

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59. The blue- or white-collar worker has the right to sick leave, which the enterprise, office, or organization must grant him for the length of time fixed by the health authorities.

60. A woman blue- or white-collar worker has the right to 90-day leave for pregnancy and childbirth, beginning 30 days before the birth. In case of abnormal childbirth or the birth of twins the leave is 100 days.

61. When the mother's care is required by the health of the child up to the end of his third year, the enterprise, office, or organization is obliged to grant to the mother, whether a blue- or a white-collar worker, on her request, leave without pay for as much as 14 work days during the year.

62. A female blue- or white-collar worker who is suckling her child herself has the right to take leave with pay for up to one hour twice a day in order to suckle the child.

63. The time taken for sick leave, for maternity and childbirth, or for training in the ranks of the people's army is included in the 11-month period specified in Article 53.

64. In case of a long-term leave, the place of the absent blue- or white-collar worker may be taken by someone else as his temporary replacement, the latter being warned that he is being accepted as a substitute. The labor contract with the substitute is terminated without advance notice on the return to work of the person whose place he has been taking.

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In the state offices the appointment of replacements for absent blue- or white-collar workers is done with the permission of the superior official, and at the ministries with the permission of the Minister.

65. An enterprise, office or organization is obliged to excuse a blue- or white-collar worker from work:

a. when he is summoned by a court or other authority to appear as a party, witness, or person materially concerned;

b. when he takes part in congress, conferences, and plenums specified by an order;

c. when he asks for leave because of the death of a close relative;

d. when he is called in connection with his military service or summer training;

e. when he takes part in sessions as a member of the National Assembly or of a people's soviet or as a juror.

The absences listed under "a" -- as witness -- and "b", "d" and "e" are paid for by the enterprise, office, or organization.

The absences listed under "a" -- for appearing as a party or person materially concerned at court -- are without pay.

For absences under "c" -- because of the death of parents, husband, wife, or children -- a two-day leave is paid for by

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the enterprise, office, or organization, and it is not included in the regular annual leave with pay.

66. The enterprise, office, or organization is obliged to excuse the blue- or white-collar worker from work for up to three days for matrimonial purposes, at his request, without applying the provisions of articles 56 and 57. The absences are included in the yearly leave with pay, and when that has been used up they are included in leave without pay.

**CHAPTER V-- WAGES**

67. Labor is paid for on the basis of the quantity and quality of the work done (Article 73, paragraph II of the Constitution).

For blue- and white-collar workers working under a labor contract all work is paid for.

68. The system and the amount of wages for the different kinds of production and office work are fixed by the Council of Ministers.

The amounts of the wages are fixed by taking into account the duration of the work day, the skill required for the work, the strenuous or dangerous nature of the work, and its importance to the national economy.

69. On the recommendations of the various departments, the Council of Ministers may institute, by orders, premiums for

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the fulfillment and overfulfillment of the production plans, for economies in materials and motive power, and also other kinds of premiums.

70. The enterprise, office, or organization is required to pay the blue- or white-collar worker his fixed wages in cash.

Additional pay in kind to blue- and white-collar workers in various enterprises, offices, or organizations for certain kinds of work are permitted by a decision of the Council of Ministers.

71. The payment of wages takes place outside of working hours at the place where the work is performed.

The procedure and the periods for the payment of wages are fixed by decrees. Wages for occasional or temporary work lasting less than two weeks are paid immediately after termination of the work.

72. Wages are paid only against receipt or from a regular payroll, and payment is made to the blue- or white-collar worker personally, or, upon his written request, <sup>to</sup> members of his family.

73. A blue- or white-collar worker <sup>who</sup> does two or more kinds of work simultaneously at one and the same enterprise, office, or organization receives a wage for the highest paid work unless other provisions have been made by an order.

74. Simultaneous employment at two or more enterprises, offices, or organizations is permitted only if written permission is secured from the enterprises, offices, or organizations concerned.

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The wages for simultaneous employment at two or more enterprises, offices, or organizations are fixed on the basis of the volume and the quality of the work, but the amount of the wages may not be more than twice the wages for the principal job.

If, in the case of simultaneous employment, work is performed which is paid for on the basis of the piece-rate or the time-premium system, the work is paid for on the basis of the actual work performed.

In the case of simultaneous employment, when one of the jobs does not take the worker's full time while he is working on it, then the wage for that work is fixed in direct proportion to the actual amount of his time which it takes.

75. On the day preceding the beginning of paid annual leave, the enterprise, office, or organization is required to pay to the blue- or white-collar worker in advance the wages that he is entitled to for the period of his leave, as calculated, on the basis of his average wages.

76. When a worker in one category does work belonging to another category, he retains his category, but receives the wage for the more highly paid category only for the time during which he is doing the more highly paid work.

When a worker belonging in one category performs work in a category with lower pay, he retains his category and receives the wage for the work performed plus the difference between that and his basic daily wage (tariff rate).

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The difference in the basic daily wage (tariff rate) is received only if the quota for the new work is fulfilled.

The difference may be received for not more than 10 days in a month.

77. A white-collar worker substituting for another in a more highly paid category has the right to receive the wage prescribed for the person for whom he is substituting in the following cases:

- a. if the substitution is in compliance with a written order;
- b. if the substitute is not the deputy of the person he replaces, and
- c. if the substitution continues more than 14 days without interruption.

What positions are considered to be those of deputies is determined by an order.

78. Deductions from the wages of a blue- or white-collar worker because of a work stoppage or rejected production and other similar cases are regulated by an order.

79. The pay for overtime work, whether permission is required or not (articles 46 to 48), for the first two hours or part thereof in a 24-hour period is the regular pay plus 25 percent, and for each hour or part of an hour thereafter 50 percent

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of the regular pay is added.

The pay of the blue- and white-collar workers who work on 1 January, 1 and 2 May, 9 and 10 September, 7 November, and 5 December is the regular pay plus 100 percent.

When overtime work is put in during the weekly rest period the pay for it is the regular pay plus 50 percent for the total number of hours thus put in.

80. Blue- and white-collar workers who do not have a standard work day receive an additional wage for doing work which does not lie within the scope of their duties.

81. The payment of wages for mixed shifts (with both day and night hours) and the overtime work in them is regulated by an order.

82. Deductions may not be made from the wages of blue- and white-collar workers except in the following cases:

- a. taxes which in accordance with special laws may be withheld from the wages;
- b. overpayments due to bookkeeping errors;
- c. sums which have been advanced;
- d. the damages listed in articles 95, 96, and 99, paragraph I;
- e. distraints imposed by the proper procedure.

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The total monthly deductions from the wages of a blue- or white-collar worker may not exceed the amounts fixed by the Law on Civil Court Procedure.

83. The claims for pay due to blue- and white-collar workers under labor contracts lose validity with the passing of three years from the date for which payment is claimed.

#### CHAPTER VI -- COMPENSATION

84. If the blue- or white-collar worker has not used the regular annual leave with pay to which he is entitled through the fault of the enterprise, office, or organization, he receives cash compensation for the time of the leave to which he is entitled.

It is not permissible to receive cash compensation two years in succession for leave not taken.

The under-aged blue- and white-collar workers are obliged to use their regular annual leave with pay.

85. If a blue- or a white-collar worker is dismissed through no fault of his own before he has acquired the right to a leave, he has a right to cash compensation reckoned on the basis of the months of employment.

The blue- or white-collar worker who has acquired the right to a leave during the preceding year has the same right, if during the following year he has worked one or more

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months and has been dismissed before taking his leave for that year.

86. When the blue- or white-collar worker has acquired the right to full annual leave with pay, compensation is calculated on the basis of his average pay for the last 11 months, and when he has not acquired that right the compensation is calculated on the basis of the average wage for the time he has worked.

87. The blue- and white-collar workers who are transferred in accordance with Article 26 have the right to receive, in addition to their wages, travel expenses and per diem pay in a manner and in the amount fixed by the Council of Ministers.

88. When a blue- or a white-collar worker is transferred to a permanent work at another locality not by his own request, he is paid as follows:

a. travelling expenses and moving expenses for him and the members of his family;

b. the wages for the days spent in traveling and for two more days which are counted as official leave.

The amounts and the manner of payment, the traveling expenses and the moving expenses of the blue- or white-collar worker who is transferred, and the amounts of the travel, per diem, and luggage allowances are fixed by an order.

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In the case of a transfer of a blue- or a white-collar worker at his own request the sums enumerated above may be paid to him fully or in part if he reaches an agreement with the enterprise, office, or organization.

In the case of a transfer of a blue- or a white-collar worker by the administration to work more than 100 kilometers away from the locality agreed upon in the labor contract and for more than one year, the worker is paid a lump sum amounting to one month's salary at the new work and a lump sum amounting to one fourth of his monthly salary for each member of his family (spouse, children, and parents) who are supported by him.

89. For leave because of sickness, pregnancy and childbirth, quarantine, and care of a sick member of the family, the blue- or white-collar worker has the right to cash compensation in the manner and under the conditions indicated in Chapter II of Part III.

90. A worker who is called to his regular military or labor service receives an indemnity in the amount of 10 days' wages at the time that he leaves if he has been with the enterprise, office, or organization for at least six months without interruption.

91. A blue- or white-collar worker who has been employed without interruption at one and the same enterprise, office, or organization for five or more years receives a compensation amounting to one month's gross pay if he is dis-

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missed because of illness, cuts in the work force, or liquidation of the enterprise, office, or organization.

It is considered that there is no interruption of the employment in the cases specified in Article 211.

92. In the cases of termination of the labor contract in accordance with Article 34 the blue- or white-collar worker has the right to receive compensation equal to his wages for the time that the advance notice would have covered if he is working under an indefinite-term labor contract, or equal to the amount of losses actually sustained if he is working under a fixed-term contract under the conditions specified in Article 32, paragraph IV.

93. If the dismissal of a blue- or white-collar worker is ruled irregular by the court or the mediation commission, he is reinstated in his position and is paid for the time he has been unemployed because of his dismissal, but not for more than two months.

94. If a worker has been dismissed in accordance with Article 33, letter "d", but has been acquitted, or legal proceedings have not been started against him or have been dropped, he has the right to compensation for the time he has been detained, but not for more than two months before the dismissal. The indemnity is computed on the basis of the average pay for the last two months before the dismissal.

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95. A blue- or white-collar worker bears material responsibility for the damages caused by him in the performance of his assigned work (if his action does not constitute a crime) in the amount of the damages which he has actually caused, but the amount to be paid by him is not to be more than one third of his monthly wages if the damages resulted from negligence on the part of the blue- or white-collar worker and were discovered within a year from the time they were caused.

96. The white-collar workers in the administrative-technical and administrative-economic staffs are responsible for the damages inflicted to the enterprise, office or organization, if the act they have committed is not a crime, to the amount of the damage actually caused, but not more than one month's pay, in the following cases:

a. improper keeping of accounts and inadequate measures to protect the materials, merchandise, etc., which are stored in the warehouses of the enterprises, offices or organizations or which are in the possession of the blue- and white-collar workers, and

b. failure to take the necessary measures to combat waste, destruction, or damaging of property.

97. Besides his responsibility under other laws, where such responsibility is provided for, the blue- or white-collar worker is responsible to the enterprise, office, or organization for the entire amount of the damages actually caused by him in

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the following cases:

- a. when the damage is the result of criminal action;
- b. when such responsibility is provided for in the special laws;
- c. when the damage is inflicted on state or cooperative enterprises, offices, or organizations by high-ranking officials, directors, chief accountants, technical managers, section chiefs, and the like;
- d. when the damage is caused otherwise than in the performance of regular duties;
- e. when there are special written agreements between the blue- or white-collar worker and the enterprise, office, or organization whereby the former assumes full responsibility for valuables and goods intrusted to him for safekeeping.

98. The blue- or white-collar worker is responsible for payment of more than the actual amount of the damages caused by him in cases where there are special laws or a decision of the Council of Ministers to that effect.

99. In cases where the blue- or white-collar worker does not have to pay in full for the damages caused by him the payment is made by deductions from his wages. The order for the deductions is issued by the enterprise, office, or organization within

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a month at the latest from the date of discovery of the damage caused by the blue- or white-collar worker.

The deductions from the wages may not be made earlier than 30 days after the blue- or white-collar worker has been notified of it. If the blue or white-collar worker contests within that period of time the reasons for or the amount of the deductions, they are not made, and the dispute is referred within two weeks to the mediation commission.

In cases where the blue- or white-collar worker is held responsible for the entire amount of the damage caused by him the deductions may be made only on the basis of a court decision, a ruling on the basis of the Decree for the Financial Control, or at the order and by the decision of the State Control Commission.

100. In the determination of the amount of the damages for which indemnities are to be paid not only the actual damage itself is taken into consideration but also the particular circumstances under which the damage was caused. Blue- and white-collar workers may not be held responsible for such damages as can be included in the category of normal production economy risk. In appraising the cost of the damages only the losses actually caused are considered; the advantages that have thereby been lost are not considered.

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### CHAPTER VII -- HYGIENE AND LABOR SAFETY

101. Not a single enterprise may be opened up, put in operation, or moved to another building without permission from the officials of the labor inspection board and the officials of the Ministry of Public Health and Social Welfare.

The plans for the construction and remodeling of enterprises, and the change of their industrial pattern and technological process must conform with requirements set forth in this chapter and also with the orders and regulations for their application. Before being put into execution the plans must be approved by the officials of the Ministry of Public Health and Social Welfare.

In the commission which approves these plans there participate also the labor safety officials at the trade union organizations and at the departmental technical labor safety services, where such exist, and also the labor hygiene officials and the members of the State Sanitary Inspection Board.

102. Blue- and white-collar workers who are engaged in work which is dangerous to the health and are exposed to occupational poisoning are given antidotes at enterprise expense in accordance with a list and in quantities fixed by an order.

The replacement of antidotes with cash is forbidden.

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103. The enterprise or office is required to put at the disposal of the blue- or white-collar workers for their use a sufficient supply of water for drinking and washing purposes, soap or soap substitutes, suitable premises for eating, for resting, for study, and for storing their clothes, and lavatories and toilets. The work premises and shops must conform with the rules and standards for technical safety, labor hygiene, and industrial sanitation prescribed by the Ministry of Public Health and Social Welfare in collaboration with the CC of the FTU.

104. At individual enterprises or offices where there is need for such, health services, night sanatoriums, diet canteenas, baths, nurseries, kindergartens, clubs, places and equipment for physical culture, and other similar facilities are organized and set up with the consent of the CC of the FTU and the Ministry of Public Health and Social Welfare.

The details on the organization, setting up, and functioning of the health services are fixed by an order.

105. The enterprise is required to take the necessary measures to make the machines, mechanical appliances, instruments, shops, and construction platforms safe and to eliminate hazards so that all danger to the health and the life of the blue- and white-collar workers can be eliminated.

Motive machinery, transmission equipment, and the stationary machinery must be stopped during the stoppage of the

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work process, except in cases where it is impossible to stop them for technical reasons or where they serve for ventilation, drainage, lighting, etc.

Working premises which are exposed to fire hazards are equipped with the proper safety devices and have a sufficient number of exits.

Enterprises in which the work is hazardous or in which the work is done with very dangerous machines and mechanical equipment, such as transmission and their belts, circular saws, sewing machines, threshing machine drums, high-tension electric current, and explosives, are required to take special measures to make them completely safe.

Special orders will be issued for implementing the provisions of this article. The managers of the enterprises are held responsible for violations of these orders not only on the basis of this Code but also on the basis of the Penal Code.

106. Blue- and white-collar workers who work with or near machines, apparatus, liquids, gases, molten metals, red-hot objects, and other dangerous things are equipped by the enterprise with personal safety equipment, such as special work clothes, masks, gloves, glasses, etc., according to the nature of the work. These are the property of the enterprise.

107. Highly dangerous complex machinery and equipment, such as steam engines, internal combustion engines of more than

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5 horse power, controlled boilers, electric installations, acetylene and electric welding equipment, large and fast-moving presses, etc., are operated by persons, whose competence is determined by special laws or regulations approved by the Council of Ministers.

108. Blue- and white-collar workers who are now on the job are permitted to work at hazardous spots and near any machines, equipment, etc. only after they have received detailed instructions on the proper and safe manner of working in these circumstances.

109. The enterprises, offices, and organizations are required to post in conspicuous places all the effective decrees and regulations governing the safety of the blue- and white-collar workers at their work.

The directors and the technical managers are responsible for technical safety in the enterprises.

110. The labor protection officials are charged with the supervision of the manner in which all enterprises, offices, organizations, and individuals comply with the provisions of this Code, the regulations, instructions, decrees, and collective labor contracts insofar as they pertain to working conditions and the protection of the health and life of the workers.

The officials of the Ministry of Public Health and Social Welfare are charged with supervising the application and

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fulfillment of the orders, rules, and binding decrees on industrial sanitation and the sanitary measures in factories.

111. In addition to the measures indicated in the preceding articles, the officials in charge of labor safety have the right to take extraordinary measures in order to eliminate conditions which directly endanger the life and health of the workers, even though the adoption of these measures has not been provided for by special laws, instructions, decrees, and orders of the CC of the FTU.

112. An accident must be confirmed by the manager of the enterprise, office, or organization with a written report within three days after its occurrence.

In case of refusal by the chief of the enterprise, office, or organization to draw up the written report, it is drawn up by the chairman or the secretary of the trade union or by the workers' labor inspector.

In case the written report is not drawn up the victim or his heirs have the right within six months to demand the drawing up of the report on the accident or for the illness contracted on the job.

If this time period for confirmation of the accident is permitted to lapse, the injured person or his heirs may put in a claim for settlement at court within one year of the time of the accident. If the time period has been allowed to go by

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for valid reasons, the court may accept the claim for examination even after the expiration of the one-year term.

113. The hiring of under-age persons (under 14 years) is forbidden.

Persons from 14 to 16 years of age inclusive may be hired in exceptional cases with the authorization of the labor inspection board.

It is forbidden to assign especially hard work, work that is injurious to the health, or night work to blue- or white-collar workers in the 14- to 16-year age bracket.

114. Overtime and night work and the performance of heavy work and work injurious to the health are forbidden for the following:

a. pregnant women, from the beginning of the fifth month of pregnancy, and

b. mothers, until their children are eight months old.

115. Which types of work are heavy or are harmful to the health is determined by an order.

116. The normal workday for blue- and white-collar workers who have not reached 16 is six hours. They are not allowed to do overtime work.

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- b. mothers, until their children are eight months old.

115. Which types of work are heavy or are harmful to the health is determined by an order.

116. The normal workday for blue- and white-collar workers who have not reached 16 is six hours. They are not allowed to do overtime work.

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117. An order issued jointly by the CC of the FTU and the Ministry of Public Health and Social Welfare determines in which industrial processes overtime and night work are forbidden for the adult female blue- and white-collar workers.

118. Female blue- and white-collar workers who are temporarily doing heavy work are transferred to less strenuous work after the beginning of the fifth month of pregnancy without reduction of their wages.

119. An enterprise, office, or organization may not refuse to sign a labor contract because of the pregnancy of the woman who is seeking employment.

After the beginning of their fifth month of pregnancy, female blue- or white-collar workers who have been dismissed because of the liquidation of the enterprise, office, or organization or because of the completion of the work in seasonal enterprises, must be placed by the department or organization in charge in suitable work in another enterprise, office, or organization, if they so desire.

120. Blue- and white-collar workers under the age of 18 are hired only after a medical examination and are subject to such an examination periodically, not less often than once a year.

The same rule applies to blue- and white-collar workers employed in heavy work and work that endangers their health and life.

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121. When the state of the health of the blue- or white-collar worker makes it necessary for him to change the kind or the location of his work the enterprise, office, or organization is required to transfer him to suitable work on the instructions of the proper health officials.

With the cooperation of the trade union organizations suitable work elsewhere is made available to the blue- or white-collar worker if such work is not available at the same enterprise, office, or organization.

122. The Ministry of Public Health and Social Welfare and the CC of the FTU issue an order defining the work which cannot be performed by persons suffering from specific diseases, the labor conditions for such persons, and the categories of blue- and white-collar workers subject to compulsory medical examinations, and the procedure and frequency of such examinations.

### CHAPTER VIII -- LABOR DISCIPLINE

123. Each enterprise, office, or organization is required to have a set of rules and regulations for the internal labor order, which must not contravene the provisions of this Code and of the orders and regulations for its application.

124. The rules and regulations for the internal labor order contain exact and complete statements defining the general and special obligations of the blue- and white-collar workers and of the administration of the enterprise, office,

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or organization, and also fixing the limits and degrees of responsibility and the violations.

The purpose of the rules and regulations for the internal labor order is to regulate the procedure in the enterprise, office, or organization, strengthen labor discipline and socialist competition, intensify the workday, increase labor productivity and the quality and the quantity of production, etc.

The general section of the set of rules and regulations for the internal labor order, which is binding for all enterprises, offices, and organizations, is approved by the Council of Ministers on the recommendation of the CC of the FTU, and the special rules for the branches are approved by the individual ministries with the consent of the central committees of the trade unions concerned.

125. The rules and regulations for the internal labor order are drawn up by the administration of the enterprise, office, or organization with the collaboration of the trade union committee. Certified copies of the rules and regulations are posted in prominent places on the premises of the enterprise, office, or organization.

126. The blue- and white-collar workers are encouraged by awards of prizes and distinctions for the following: exemplary attitude towards their labor obligations; high labor discipline; efforts to fulfill the plan; success in reaching

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quality and quantity indexes; introduction and application of new and improved methods for the organization of labor; inventions; technical improvements; recommendations for rationalization; noteworthy achievements in the fields of science, technology, and art; initiative shown in production; economies achieved in state and public funds and materials; and long, tireless, and devoted work.

The prizes and distinctions are the following:

- a. publicly expressed thanks;
- b. inscription of the worker's name on the honor

rolls;

- c. cash prizes;
- d. gifts of nominal value.
- e. honor citations;
- f. promotions;
- g. honor badges;

- h. inscription of the worker's name in the honor

book;

- i. honorary titles;
- j. orders and medals;
- k. honorary title "Hero of Socialist Labor"; and

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The prizes and distinctions conferred are entered in the worker's labor book.

127. Enterprises and offices which have achieved the best fulfillment of the plan on the basis of the prescribed indexes are awarded rotating red banners of the Council of Ministers, the ministries, and the CC of the FTU, and also cash prizes.

128. Failure to fulfill labor obligations represents a violation of labor discipline which, in addition to the penalties under other laws, if such are provided for, is also punishable with the disciplinary measures, prescribed in this Code.

129. The violations of labor discipline are the following:

- a. reporting late to work;
- b. leaving work early;
- c. failure to put in a whole day's work;
- d. failure to report to work;
- e. refusal without valid reasons to perform the work assigned in accordance with articles 25 and 26, and
- f. violation of the provisions of the rules and regulations for the internal labor order.

The rules and regulations for the internal labor order also specify the violations of the labor discipline mentioned in "a" through "d" above.

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130. The disciplinary measures are the following:

- a. warning;
- b. reprimand;
- c. strict reprimand;
- d. demotion to lower-pay work for a period of three months at the same enterprise, office or organization;
- e. transfer to lower-pay work at the same enterprise, office, or organization, or at another one; and
- f. dismissal.

The punishments are imposed by the manager of the enterprise, office, or organization unless special provision has been made for any other procedure.

The administrators of enterprises, offices, or organizations are punished by their superior agency or organization.

The punishments may be announced at meetings of the blue- and white-collar workers, in the press, or in another way.

131. After the explanations of the guilty <sup>are</sup> person/heard the disciplinary punishments are imposed by a written order but not later than one month after the discovery of the violation and not later than one year after the date of its commission.

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132. The disciplinary punishments, with the exception of dismissal, are considered to be canceled if the blue- or white-collar worker who has been punished does not receive another disciplinary punishment within a year of the date on which the last punishment was imposed.

Disciplinary punishments and dishonorable events in the career of the worker are not inscribed in his labor book.

**CHAPTER IX -- LABOR DISPUTES**

133. Disputes between the blue- or white-collar workers and enterprises, offices, or organizations relating to the existence, fulfillment, and termination of labor contracts and other relations and also disputes concerning collective labor contracts and all disputes on the basis of Part II of this Code are settled as follows:

- a. by mediation commission;
- b. by courts;
- c. through administrative procedure.

134. The mediation commissions are set up in the trade union committees of enterprises, offices, and organizations and are composed of an equal number of representatives of the administration and the trade union committee.

The mediation commissions reach their decisions by

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mutual agreement of the representatives of the two sides regardless of how many representatives of each side are present.

135. The mediation commissions take up the disputes relating to the institution and changing of labor conditions which are not explicitly regulated by this Code, by other laws, or by the collective labor contract.

136. Disputes on the following matters are taken to the mediation commissions first:

- a. transfers to other jobs and the wages involved;
- b. payment of wages when the quota has not been fulfilled, and payment of wages for rejected production;
- c. dismissals because of non-performance or very careless performance of duties.
- d. special work clothes or special food (anti-dotes); reductions in the work days; vacations;
- e. wages for doing work requiring a different skill in cases of substitution;
- f. pay during work stoppage;
- g. pay for preparatory work for piecework;
- h. pay for incompleting piecework;
- i. deductions from wages for damages inflicted under extenuating circumstances;

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j. payment for time when the worker is separated from his employments;

k. payment of cash for unused leave;

l. fixing of the amount of the wage for the trial period under a contract providing for such a period;

m. the amount of the premiums due the blue- or white-collar worker;

n. pay for overtime work; and

o. satisfaction of the welfare needs of the blue- or white-collar worker in fulfillment of the obligations undertaken by the enterprise, office, or organization under the collective or individual labor contracts.

In all other disputes relating to labor relations, including those for irregular dismissal or for reinstatement in work, with the exception of the cases indicated in Article 140, letters "d" and "e", and Article 143, the blue- or white-collar worker or the enterprise, office, or organization may have recourse to either the mediation commission or the court.

137. The disputes which must be decided by the mediation commissions are to be referred to them within a period of three months. The time periods for the matters listed in the preceding paragraph and the procedure followed by the mediation commissions in examining the claims are fixed in the rules and

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regulations mentioned in Article 114. Claims not submitted within these time periods may not be referred to the court, but the mediation commission may take up the examination of such claims as the authority of first instance if the prescribed time period has been let go by for valid reasons.

138. The decisions of the mediation commissions at the trade union committees may be appealed to the okrug committee of the trade union within two weeks of the date on which the decision is announced.

The procedure for examination of the disputes by the okrug committees of the trade unions is fixed by the rules and regulations mentioned in Article 114.

139. The decisions of the mediation commissions which have not been appealed and also the decisions the appeals from which been rejected by the okrug committee of the trade union are executed by the enterprise, office or organization.

140. The courts proceed in accordance with the Law on Civil Court Procedure in examining the following disputes:

- a. those for which examination by the mediation commission is not mandatory;
- b. those in which the mediation commissions have not been able to reach a decision;
- c. those in which the decision of the mediation

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commission has been reversed by the okrug committee of the trade union;

d. those concerning payment for damages inflicted with full responsibility;

e. disputes in cases of labor relations with a private physical or juridical person.

Disputes over the interpretation and application of the collective labor contracts are examined by the okrug courts with the participation of juries. Their decisions cannot be appealed.

141. No payment is exacted for legal proceedings in connection with labor units.

141. Claims may be submitted to the courts within three years.

The submission of a claim to the mediation commission constitutes an interruption of this period.

143. Neither the mediation commissions nor the courts may take up the disputes in connection with the following:

a. dismissal of blue- and white-collar workers holding elective positions and dismissal of other responsible blue- and white-collar workers indicated in an order;

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b. imposition of disciplinary punishments, except in the case of dismissal;

c. dismissal at the request of the central committee of the trade union; and

d. dismissal at the request of the State Control Commission.

These disputes are examined, following administrative procedure, by the higher agency or organization, with the exception of those mentioned under "d", which can be reversed only by the State Control Commission.

144. A directive will be issued for the implementation of the provisions of this chapter of the Code.

### PART III -- STATE SOCIAL SECURITY

#### CHAPTER I -- INTRODUCTORY PROVISIONS

145. The State Social Security compulsorily covers all blue- and white-collar workers employed by state, public, cooperative, mixed or private enterprises, offices, or organizations or by private persons, irrespective of the nature and duration of their work and the manner in which they are paid for it.

In accordance with this Part of the Code lawyers are also insured, and for those who have been paying pension

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dues before the effective date of this Code the time that they have been paying them is considered as labor apprenticeship.

146. State Social Security for the blue- and white-collar workers assures them of the following benefits:

a. cash indemnities and aid in case of temporary inability to work due to illness, pregnancy, childbirth, an accident at work, quarantine, and care for a sick member of the family;

b. disability pension, old age pension, and pensions for the members of the family in case of the death of the person who has been supporting them;

c. measures for the rehabilitation of disabled workers and for the improvement of the living conditions of the blue- and white-collar workers and pensioners;

d. furnishing of the necessary orthopedic apparatus, prosthetic devices, orthopedic shoes, and the like;

e. lump-sum cash assistance for childbirth;

f. monthly additions to the wage for children; and

g. aid for funeral expenses.

147. For the maintenance of State Social Security percentage insurance premiums from the wages are instituted, the amounts being fixed by the Council of Ministers.

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148. The insurance premiums are paid by the enterprises, offices, organizations, and physical persons, and these do not have the right to exact them from the blue- or white-collar workers or withhold them from their wages.

149. Failure on the part of the enterprise, office, or organization to pay the insurance premiums due does not in any case deprive the blue- and the white-collar workers of the right to receive all the cash indemnities, assistance, and pensions mentioned in this Part.

#### CHAPTER II -- CASH COMPENSATION

150. For the time spent on sick leave as prescribed by a doctor or a medical consultative commission, the blue- and white-collar workers and trade union members are paid cash compensation instead of a wage, the amount of compensation being determined by the length of the worker's continuous employment in an enterprise, office, or organization as follows:

- a. over seven years -- 90 percent of his total wages;
- b. from five to seven years -- 80 percent of his total wages;
- c. from three to five years -- 60 percent of his total wages;

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d. from three months to three years -- 50 percent of the total wages.

The cash compensation paid because of temporary inability to work to the underground blue- and white-collar workers in the mines and trade union members who have been employed continuously at the same enterprise or office for not less than a year amounts to 90 percent of the wages, and when the period of employment is less than one year it amounts to 60 percent of the wages. In case of temporary inability to work due to a labor accident or illness contracted on the job the cash compensation of the blue- and white-collar trade union members working underground is 90 percent of their total wages, irrespective of the length of their employment. Under-age trade union members up to 18 years of age are paid cash compensation amounting to 60 percent of their wages, irrespective of the duration of their labor apprenticeship at the same enterprise, office, or organization.

Blue- and white-collar workers who are not members of a trade union are paid cash compensation amounting to 50 percent of the amounts given above. This provision does not apply to persons who because of the nature of their work cannot be members of a trade union.

151. Blue- and white-collar workers dismissed for violations of labor discipline or for the commission of a crime and also those who have left their work of their own free will, will

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have the right to cash compensation for temporary inability to work after they have passed at least six months in new employment.

152. The cash compensation for temporary inability to work is given for the time extending from the first day of the appearance of the disability to the time that the worker is able to return to work or until permanent disability is established by a commission of labor experts and physicians.

The procedure for determining the inability to work and the time periods for payment of cash compensation for temporary inability to work are determined by the Council of Ministers.

153. In the payment of the cash compensation the average wage for the month at the time of the beginning of the temporary inability to work at the enterprise, office, or organization where the basic work is performed is taken as the basis.

154. The following blue- and white-collar workers are deprived of the right to receive cash compensation:

a. those who injure their health deliberately or feign illness (malingerers), and the indemnities which have already been paid must be refunded;

b. those who do not follow the instructions of their physician, or fail to appear for medical examinations without valid reasons.

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In certain cases, specified by an order, when the illness was acquired through the fault of the blue- or white-collar worker, he may be deprived of compensation for five days or may be paid only 50 percent of the prescribed indemnity.

155. Female blue- and white-collar workers who have worked not less than five months without interruption at the same enterprise, office, or organization previous to acquiring the right to a leave because of pregnancy and childbirth receive cash compensation for pregnancy and childbirth.

156. The cash compensation for pregnancy and childbirth is paid to female blue- and white-collar workers for the period extending from 30 days before childbirth to 60 days after it, and in case of an abnormal childbirth or the birth of twins to 70 days after the birth (Article 60).

157. For the time spent on leave because of pregnancy or childbirth the female blue- or white-collar worker who is a trade union member receives cash indemnities in the following amounts:

a. the total amount of her wages if at the time of the commencement of her inability to work she meets any of the following requirements:

She has accumulated a total employment time of at least three years, at least two years of this being continuous employment with the same enterprise, office, or organization;

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She has been awarded an order of the People's Republic of Bulgaria or has been a partisan;

She is a blue- or white-collar worker, irrespective of her employment time who gives birth to a child before completing her 18th year.

b. an amount equal to 75 percent of her wages for the first 20 calendar days, and a sum equal to her total wages for the rest of the time if at the time that her inability to work commences:

She has had at least two years of continuous employment at the same enterprise, office, or organization but has been employed for a total of less than three years.

She is a miner, a locomotive worker, or a construction worker with a continuous employment time at the same enterprise of at least one year.

c. an amount equal to 65 percent of her wages if to the time of the beginning of her inability to work she has had continuous employment at the same enterprise, office, or organization of at least five months.

158. Female blue- or white-collar workers who are not members of a trade union receive 50 percent of their wages as cash compensation for the time spent on leave because of pregnancy and childbirth.



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This provision does not apply to those who because of the nature of their work cannot be members of a trade union.

159. The amounts of cash compensation when the worker is quarantined or is caring for a sick member of the family are as indicated in Article 150.

### CHAPTER III -- LUMP-SUM ASSISTANCE PAYMENTS FOR CHILDBIRTH,

#### MONTHLY ADDITIONS FOR CHILDREN, AND

#### BURIAL ASSISTANCE PAYMENTS

160. For childbirth if at least one of the parents is a blue- or white-collar worker or a pensioner a lump-sum payment is made in amounts fixed by law or decree.

Persons in the same categories are paid monthly additions for children under the conditions and in the amounts fixed by law or decree.

161. On the death of a blue- or white-collar worker or of a personal pensioner, the persons who have spent money for the funeral are granted a burial assistance payment in the amount of 10,000 leva, and in case of the death of a member of their family or of a person receiving a survivor's pension 5,000 leva for funerals in cities and 50 percent of this amount for funerals in villages.

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**RESTRICTED****CHAPTER IV -- LONG-TERM-DISABILITY PENSIONS**

162. Disability pensions are granted to blue- and white-collar workers who have become unfit to work either permanently or for a long time. These pensions are given for:

- a. general illness, and
- b. an accident occurring or an illness contracted on the job.

163. According to the degree of disability the disabled persons are divided into three groups:

Group I -- those who have become totally unable to do any kind of work and in need of outside help;

Group II -- those who have become totally unable to do skilled work both in their own profession and in any other profession;

Group III -- those who are unfit for regular work in their own trade under the ordinary conditions of that trade but who can still use what is left of their ability to work (a) for part-time work, (b) in a shorter workday, and (c) in another trade where considerably less skill is required.

164. The degree of disability and the disability group to which the insured person belongs are determined by a commission of labor experts and physicians.

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The decisions of this commission may be appealed to the Central Commission of Labor Experts and Physicians in the Ministry of Public Health and Social Welfare within one month of the day of receipt of a copy of the decision.

### 1. Pensions for General Illness

165. Those blue- and white-collar workers have the disability pension because of general illness who fall in one of the three disability groups specified in Article 163 of this Code and who have had a length of employment corresponding to their age on the day they are certified to be disabled persons as follows:

<u>Age</u>	<u>Length of Labor Service</u>		
	<u>Men</u>	<u>Women</u>	<u>Engaged in underground and hazardous work</u>
up 20	1	1	1
20 to 22	3	2	2
22 to 25	4	3	3
25 to 30	6	4	4
30 to 35	8	5	5
35 to 40	10	7	6
40 to 45	12	9	7
45 to 50	14	11	8
50 to 55	16	13	10
55 to 60	18	14	12
Over 60	20	15	14

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166. For determination of the amount of the pension in relation to the strenuous and dangerous nature of the work in which they are engaged, the blue- and white-collar workers are divided into the following three categories:

Category I -- those engaged in heavy work, and

Category III -- all the rest.

A directive determines what work belongs in each of the above categories.

167. The amount of the personal disability pension for general illness is determined on the basis of the labor category the length continuous employment at the same enterprise, office or organization, and the disability group in which he belongs, as a percentage of the average monthly wages during the last 12 months of employment.

less than 12 months

If the blue- or white-collar worker has worked/during the last two years the pension is computed on the average monthly wage for the time he has worked during these two years, but the wages taken into consideration must not be more than one and a half times as large as basic wage at the time his work terminated.

In the case of a person who has been employed at work requiring higher skill for not less than five years but who has then shifted to work requiring less skill, the pension is computed on the basis of his previous wage for the 12 consecutive

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months with the highest pay, if from the date on which he left the more skilled work to the date on which he applied for the pension not more than three years have elapsed.

168. The pension is computed on a wage of 20,000 leva per month at most, and the minimum pension is 3,000 leva per month.

169. The amount of the personal disability pension for general illness is fixed in accordance with the following table:

<u>Labor Category</u>	<u>Disability Group I</u>	<u>Disability Group II</u>	<u>Disability Group III</u>
I	69 percent	49 percent	35 percent
II	68 percent	48 percent	34 percent
III	67 percent	47 percent	33 percent

Those in disability groups I and II because of general illness receive the following additions for continuous employment apprenticeship at the same enterprise, office, or organization before the application for a pension:

<u>Labor Category</u>	<u>Length of Continuous Employment</u>	<u>Additions in Percentage of the Fixed Pension</u>
I	3 to 5 years	10 percent
	5 to 10 years	20 percent
	over 10 years	25 percent
II	4 to 8 years	10 percent
	8 to 12 years	15 percent
	over 12 years	20 percent
III	5 to 10 years	10 percent
	10 to 15 years	15 percent
	over 15 years	20 percent

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170. For underground or underwater blue- and white-collar workers with a record of mixed employment but with at least 15 years of underground or underwater work the amount of the disability pension for general illness is computed on the basis of the wages received during the last two years of underground or underwater work if this is to the advantage of the blue or white collar workers.

2. Pension for Labor Accidents or for Illness Contracted on the Job

171. A labor accident is any injury sustained by blue- or white-collar workers at or in connection with their work and which has disabled them or killed them.

A set of rules and regulations determines which cases are considered as labor accidents.

172. Blue- and white-collar workers acquire the right to a pension for a labor accident or illness contracted on the job irrespective of the length of their employment.

173. Those disabled by labor accidents or illnesses contracted on the job receive pensions amounting to the following percentage of the average monthly wages, computed in the manner indicated in Articles 167 and 168:

- |                             |             |
|-----------------------------|-------------|
| a. for disability group I   | 100 percent |
| b. for disability group II  | 75 percent  |
| c. for disability group III | 50 percent  |

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**RESTRICTED****CHAPTER V -- OLD-AGE PENSIONS**

174. The blue- and white-collar workers acquire the right to an old-age pension on reaching the age and completing the number of years of work specified as follows, in accordance with the labor categories established in Article 166 of this Code:

- a. Category I -- employment for 15 years; age 50
- b. Category II -- employment for 20 years; age 55
- c. Category III -- employment for 25 years; age 60

Teachers acquire the right to a pension after completing 25 years of teaching service and reaching the age of 60 for men and 55 for women.

The Council of Ministers may also fix other age limits for receiving a pension for separate categories of blue- and white-collar workers working under specific conditions.

175. The amount of the old-age pension on reaching the age limit and completing the minimum length of employment service specified for the labor category in Article 166 of this Code is computed on the basis of the average monthly wages of the recipient for the last 12 months of employment.

In the case of persons who have been in more highly skilled work for not less than five years since 9 September 1944 and have shifted to less skilled work, the pension is com-

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puted on the basis of the previous wages for the 12 consecutive months with the highest pay, if from the date of leaving the more highly skilled work to the date of application for pension not more than three years have passed.

The pension is computed on a monthly wage of 20,000 leva at the highest.

The Council of Ministers may for certain categories of blue- and white-collar workers fix other amounts of wages to serve as the basis for the computation of pensions.

176. The amount of the old-age pension is as follows:

a. for underground blue- and white-collar workers in mining, workers in the presses and resin sections of the briquette factories, and teachers -- 55 percent of the wages, and

b. for all other blue- and white-collar workers -- 50 percent of their wages.

177. For underground blue- and white-collar workers in mining and workers in the presses and resin sections of briquette factories with a record of mixed employment but with at least 15 years of employment as such, the monthly amount of the pension is computed on the average monthly wages for the last 24 months of underground work or work in a briquette factory if that is to their advantage.

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178. For each full year of employment over the minimum period specified 2 percent of the wage is added to basic percent.

179. If a pensioner continues to work, his period of employment after his pensioning is taken into account if he so requests, and his old-age pension is increased 2 percent for each additional year of employment, computed on the average wages for the last 24 months of employment. If it is to the advantage of the pensioner to compute a new pension in accordance with articles 175, 176, and 177, then that is done. Additional employment time may be added in only once in the course of two calendar years if the required age limit has been reached.

180. The Maximum monthly personal old-age pension may not be more than 67 percent for the categories, designated under "a" in Article 176 and 62 percent for all others -- "b" in the same Article -- of the average monthly wages on which the pension is computed, and the minimum amount for a pension is 3,000 leva per month.

181. The time spent in the zone of operations by the non-commissioned personnel during the wars of 1912-1913, 1915-1918, and 1944-1945 is counted as employment time after they pay the necessary insurance premiums.

182. Time actually spent as follows is considered as employment time, no insurance premiums being required: in the national liberation army (partisans), internees, concentration

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camp inmates, members of penal groups, political prisoners, political refugees, underground workers, and participants in the Spanish Civil War during the time from 9 June 1923 to 9 September 1944. Employment time in the USSR after 9 June 1923 is also counted as category II employment.

183. Where the employment record contains more than one category the pensioning is effected under the conditions of the category in which the pensioner has spent the most time. Three years in category I is counted as four years in category II and five years in category III and vice versa.

The worker's main category is determined by transposing the years of employment in the different labor categories into one category.

**CHAPTER VI -- SURVIVORS' PENSIONS**

184. The following members of the family of a blue- or white-collar worker or personal pensioner under the Code who has been supporting the family have the right to survivor's pensions on his death:

- a. the children, brothers, and sisters, who have not reached the age of 18, and those under 24 who are attending school;
- b. the children, brothers, and sisters who are not able to work, regardless of their age, if their disability

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occurred before they reached the age of 18, and the students under 24.

c. the parents, husband, or wife who are unable to work or who have reached the age of 60 for men and 55 for women.

185. In the case of death of a personal pensioner who has been supporting his family, the survivors receive survivors' pensions as follows:

a. if there is one member of the family who has the right to such a pension, 50 percent of the personal pension of the deceased pensioner;

b. if there are two members in the family, 75 percent of the personal pension of the deceased;

c. if there are three or more members in the family, 100 percent of the personal pension of the deceased.

186. Family members surviving the deceased blue- or white-collar worker who has served the employment period required for an old-age or a disability pension receive survivors' pensions in the percentages given in the preceding article of the personal disability pension computed for disability group II and the proper labor category.

Surviving members of the family of a blue- or white-collar worker who has died because of a labor accident receive a survivors' pension (irrespective of the length of his

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employment), computed in the above-mentioned percentages of the personal disability pension for labor accident for disability group I.

**CHAPTER VII -- CONCLUDING PROVISIONS**

187. The pensions are fixed, suspended, terminated, and changed by commissions at the okrug people's soviets and in certain industrial cities specified by an order. Their decisions may be appealed to the Supreme Pensions Council. The procedure for the payment of the pensions is set forth in an order.

When it is established that the pension has been irregularly granted the Supreme Pensions Council may direct the proper pension commission to suspend it. The decisions issued may be appealed by the usual procedure.

Appeals may be made from the decisions of the Supreme Pensions Council by following the procedure set forth in Article 11 of the Law on Public Prosecutor's Office and Article 551, letter "a", of the Law on Civil Court Procedure.

188. No one may receive more than one pension. This also applies to the present pensioners, who from the moment this Code goes into effect may keep only one of their pensions whichever one they choose.

189. All pensioners who are granted disability pensions on the basis of this Code are subject to regular re-examinations

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at intervals fixed by the Council of Ministers.

The details for the implementation of this article are regulated by a directive.

190. All pensions granted on the basis of the laws which have been replaced and on the basis of this Code remain in force together with the increases in accordance with Decree No. 272 of the Council of Ministers of 20 March 1951, each pensioner being permitted to receive only the one pension of his choice.

191. The survivors' pensions being paid at the time this Code goes into effect retain their sizes if they meet the conditions given in Article 184 of the Code. When circumstances necessitate changes in the amounts of the survivors' pensions, the provisions of this Code are applied.

192. Widows receiving survivors' pensions granted before the date on which this Code goes into effect continue to receive them if they are unable to work or have reached the age of 55 or have children under 14 years of age.

193. Persons who receive personal old-age pensions and who have reached the age limit for their particular labor category, persons receiving disability pensions, and the persons who receive survivors' pensions of all kinds and who continue to work receive their full pensions. Those in labor category III who were 55 or over on 1 January 1949 receive 50 percent of their pension if they continue to work until they reach the age limit.

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194. The revenues of State Social Security have the same privileged status as state revenues.

195. A set of rules and regulations governs the conditions, terms, and procedure for recognizing past employment time, the conditions and terms for the payment of insurance premiums for recognized past employment, pension procedure, the composition and duties of the bodies which determine, suspend, terminate, and change pensions, and all other problems connected with the insuring and the retiring of blue- and white-collar workers.

196. The mutual recognition of employment time and the time the insurance is in force according to the different insurance policies and according to the retirement and insurance laws, rules and regulations, statutes, and pension funds no longer existing or in force is performed in accordance with conditions fixed by a set of rules and regulations.

197. The right to a pension is lost if no application is made for it within two years from the date on which it comes into existence or from the date of termination of the cash compensation during period of disability.

The right to a personal old-age pension or a survivors' pension for children or brothers or sisters supported by the deceased is not lost.

198. The pensions, cash compensation, and financial assistance received on the basis of this Code are not trans-

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ferable and cannot be used as security. They cannot be seized except for obligations to provide support, for payments due to State Social Security, and for obligations arising from crimes.

199. The receiving of a survivors' pension is not considered as the receiving of an inheritance.

200. The money paid to State Social Security as irregularly made premium payments may be asked back within one year from the date of payment. The sums paid in up to now are not refunded, except the payments for recognized employment time and presented time which are not counted for a pension under this Code.

201. The papers and documents which are submitted, issued, or drawn up in connection with the insuring, compensation, pensioning, and payment of sums under this Part of the Code are exempt from state stamps and all fund stamps and taxes.

202. Cash compensation and financial aid paid out by State Social Security are exempt from taxes, dues, state stamps and other deductions. The pensions are exempt from taxes and state stamps.

203. The State Social Security budget for the blue- and white-collar workers is drawn up by the CC of the FTU and is included in the general budget of the Republic.

204. Overdue premiums for social security are collected with 0.05 percent interest per day.

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## PART IV

## CHAPTER I -- PUNISHMENTS

205. Violators of the provisions of this Code and of the orders, rules and regulations and decrees issued in accordance with it are punished with fines of up to 20,000 leva if they are not subject to heavier punishment.

Violators of the regulations for the protection of labor, technical safety, and industrial sanitation and hygiene are punished with fines of up to 20,000 leva, regardless of their responsibility under the Penal Code.

206. Violations of this Code are established by an official report drawn up by labor inspectors and control bodies of State Social Security.

These reports serve as evidence until and unless proof to the contrary is furnished.

If the person who draws up the report finds evidence that a crime has been committed he sends the report to the public prosecutor.

In the other cases, orders for punishment are issued by higher labor protection and State Social Security offices.

207. The orders for punishment may be appealed to the

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okoliya court within 14 days after they are issued.

208. Responsibility for violation of the provisions of this Code is personal. The fines imposed cannot be paid from the account of enterprises, offices, or organizations.

The fines imposed by punishment orders which have gone into effect are deducted from the wages of the violator by the paymaster.

#### CHAPTER II -- GENERAL AND TRANSITIONAL PROVISIONS

209. The provisions of Part II of this Code are also applied in the regulation of the labor-contract relations of the blue- and white-collar workers with physical and juridical persons not mentioned in Article 1 of the Code.

210. The Council of Ministers may set up other rules concerning the conclusion and termination of the labor contract and also concerning labor discipline for the white-collar workers or definite categories of them.

211. It is considered that there is no interruption in the employment period when the blue- or the white-collar worker has shifted from one enterprise, office, or organization to another because of its closing down, because of budget cuts, or at the order of the administration and also in case of shifting from production work to elective or public office and vice versa, provided that in all cases he goes to his new position not later than one month after leaving the previous one.

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It is also considered that the employment period up to the time that this Code goes into effect is uninterrupted when it has been considered so under any of the laws repealed by this Code.

212. The labor inspectors and the control officials of State Social Security have the following rights:

- a. to visit at any time all enterprises, offices or organizations in their rayon, all places where work is being done, and all the attached housing, baths, nurseries, and similar ones facilities provided for the use of the blue- and white-collar workers;
- b. to require the administrators of the enterprises, offices, and organizations to furnish the necessary explanations and produce all necessary documents, papers, and information in connection with the performance of their duties;
- c. to issue binding instructions to the enterprises, offices, and organizations and also to the blue- and white-collar workers for the elimination of violations and other defects in the field of labor protection and state social security;
- d. to take the necessary measures to bring to account through either a ministrative or judicial procedure those persons who are guilty of failing to observe the provisions of this Code and the orders, rules and regulations, instructions, orders, and other acts connected with the protection

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of the health, life, and safety of the blue- and white-collar workers.

213. The orders mentioned in articles 44, 48, 49, 54, 55, 58, 105, and 143 and rules and regulations mentioned in articles 144 and 171 are approved by the Council of Ministers on the recommendation of the CC of the FTU. Other orders and rules and regulations for the implementation of this Code are issued by the same procedure.

The orders mentioned in articles 102, 104, 115, 187, and 215 and the rules and regulations mentioned in articles 166, 189, 195 and 196 are approved by the Council of Ministers on the recommendation of the CC of the FTU and the Ministry of Public Health and Social Welfare.

The orders mentioned in articles 26, 65, 71, 73, 77, 78, 81, 87, and 88 are approved by the Council of Ministers on the recommendation of the CC of the FTU and the Ministry of Finance.

214. The pension cases pending before the Supreme Court and instituted before the effective date of the Labor Code are sent to the proper okrug courts which try them without gathering new evidence.

The decisions of the okrug courts in these cases cannot be appealed.

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215. All buildings and installations of existing enterprises must be brought into conformity with the requirements of Chapter VII of Part II of this Code, within the time periods prescribed by orders.

216. The orders issued for the implementation of Article 60 of the repealed Law on Labor Hygiene and Safety, and also the orders and rules and regulations governing the working time and the rest periods of transportation workers, the revision of pensions, and the other orders issued in accordance with laws and decrees repealed by Article 218, which are not in contradiction with this Code, remain <sup>n</sup>if forced until the issuance of corresponding orders and rules and regulations on the basis of this Code.

217. Until regulations are issued to implement Article 68 the following remain in force:

a. the orders issued to implement articles 9, 13 to 17, and 21 to 23 of the repealed Law on Organization Tables for State Employees and the enactments and orders issued in accordance with them;

b. the organization tables issued in accordance with the same law.

218. The following are revoked by the Labor Code:

The Law-Decree on Labor Contracts;

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The Law-Decree on Collective Labor Contracts and  
the Regulation of Labor Disputes;

The Law on State Employees;

The Law on Organization Tables for state employees,  
with the exception indicated in Article 217 of the Code;

The Social Security Law, with the exception of  
Article 15, paragraph 2, and Article 16 until the issuance of  
orders, and chapter VII of Part II, Part III, Part IV, and Part  
V;

The Law on Labor Hygiene and safety;

The Law on the Institution of Mediation Commissions  
for the Interpretation and Application of Collective Labor Con-  
tracts;

The Law on the Interpretation of Article 20 of the  
Law-Decree on Labor Contracts;

The Law on the "Rest and Culture" Fund;

The Law on Labor Norms;

The Law on Health Protection for Motherhood and  
Childhood;

The Law on Employment and on Unemployment Insurance;

The Law on Sundays and Holidays;

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The Law Increasing the Punitive Sanctions in the  
Laws for the Protection of Labor;

The Law Providing for the Transportation of the  
Blue-collar Workers from Their Homes to Their places of Work;

The Decree on the Signing of Collective Labor  
Contracts.

The President of the Council of Ministers is  
charged with the execution of this decree.

The state seal has been affixed to this decree.

Sofia, 10 November 1951

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Sofia, 12 vestiy 2, 21 Mar 52

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CONTRACT TRANSLATION

THE COUNCIL OF MINISTER DECREES

1. On the basis of article 44 of the Labor Code, the regulations covering irregular working hours are hereby approved.
2. The control over the fulfillment of the present regulations is vested in the Central Trade Union Council.

Correct. At. Voynov, Secretary General.

REGULATIONS COVERING IRREGULAR WORKING HOURS

1. Irregular working hours are decreed for certain categories of workers and employees whose work because of its nature cannot be treated as a regular work day.
2. Irregular working hours may be applied in institutions, enterprises and organizations to:
  - (a) Members of executive, managerial, technical and industrial personnel.
  - (b) Persons whose work does not lend itself to accounting for time spent on the job, such as instructors, consultants, agents, etc.
  - (c) Persons who may determine their working hours according to their own judgement, such as bill collectors, buyers, etc.
  - (d) Persons whose work day, due to the nature of their duties, is split into periods of indefinite duration, such as drivers, coachmen, etc.
  - (e) Persons who are at the disposal of the enterprise, institution or organization and are not actually at work for the entire work day or a considerable part thereof.

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3. The list of professions, whose duties and jobs permit irregular working hours in the respective enterprises, is to be compiled by the Central Committees of the appropriate Trade Unions and Economic Organizations and approved by the Central Trade Union Council.

The lists of duties permitting irregular working hours in government institutions are to be compiled by the appropriate ministries and administrations and approved by the Central Trade Union Council in agreement with the Government Civil Service Commission.

4. Labor contracts, collective labor contracts, or institutional work rules are to contain all the basic duties constituting the work load of persons entitled to irregular working hours.

Workers and employees with irregular working hours are entitled to extra pay for work outside of their line of duty.

5. Workers and employees with irregular working hours are, generally, exempt from work on the weekly rest days and other holidays, with the exception of cases specifically covered in the labor contracts or institutional work rules.

6. If the nature of his duties requires the worker or employee to work irregular hours, or to work beyond the extent of a regular work day, such work is not to be considered overtime nor is it subject to extra pay.

7. As compensation for a greater work load and work beyond working hours, workers and employees with irregular working hours may be granted additional paid annual leave of up to 12 days.

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CONTRACT TRANSLATION

Sofia, Izvestiya, 28 Mar 52

THE COUNCIL OF MINISTERS DECREES:

1. On the basis of articles 40 and 81 of the Labor Code the regulations covering the extent of the work day and the manner of payment of regular time and overtime on mixed shifts are hereby approved.

2. The control over the fulfillment of the present regulations is vested in the Central Trade Union Council.

Sofia, 20 March 1952

The Chairman of the Council of Ministers: V. Chervenkov

The Secretary General: A. Voynov

REGULATIONS COVERING THE EXTENT OF THE WORK DAY AND THE MANNER OF  
PAYMENT OF REGULAR TIME AND OVERTIME ON MIXED SHIFTS.

1. Work shifts can be day shifts, night shifts or mixed shifts. Day shifts include only daytime hours, night shifts only night hours, mixed shifts both daytime and night hours.

Initially, work shifts should be arranged so as to include daytime hours only or night hours only.

2. Work time is considered daytime from 0500 hours up to and including 2200 hours for the period from 1 March to 30 September, and from 0600 hours up to and including 2200 hours from 1 October to the last day of February.

The remaining hours of the 24-hour period are to be considered night hours for purposes of the work shift.

3. Work time for mixed shifts is determined in accordance with the number of night hours in the shift.

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A shift with four or more hours of night work is to be considered a night shift and be of six hours duration.

A shift with less than four hours night work is to be considered a day shift and have eight hours duration.

4. Work on a mixed shift or six hours duration is rated the normal pay due for a full night shift (salary, wages or pay according to scale).

Pay for a mixed shift of eight hours duration is set at the day rate for daytime hours and at the night rate, i.e. 8/6 of the day rate, for night hours.

5. Overtime, day or night rate, on mixed shifts is to be paid in the following manner:

For the first two hours or part thereof a 25 percent increase, and for the following hours or parts thereof a 50 percent increase, of the corresponding rate (article 79, paragraph I of the Labor Code).

6. The present regulations do not apply to traffic and transport workers of the Ministry of Transport, the employees of the mobile post offices (mail cars) of the Ministry of the Mails, Telegraphs and Telephones, or military personnel.

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